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JUN 17 2016
LEGISLATIVE ENVIRONMENTAL POLICY OFFICE

Montana Fish, Wildlife & Parks

Region Three
1400 South 19th
Bozeman, MT 59718

June 13, 2016

To: Governor's Office, Tim Baker, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Dept. of Natural Resources & Conservation, P.O. Box 201601, Helena, MT 59620-1601
Montana Fish, Wildlife & Parks:

Director's Office	Parks Division	Lands Section	FWP Commissioners
Fisheries Division	Legal Unit	Wildlife Division	Design & Construction

MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202
MT State Parks Association, P.O. Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923
Jack Jones, 3014 Irene St., Butte, MT 59701
Jack Atcheson, 2309 Hancock Avenue, Butte MT 59701
U.S. Army Corp of Engineers, Helena
U.S. Fish and Wildlife Service, Helena
U.S. Fish and Wildlife Service, 420 Barrett Street, Dillon, MT 59725
Big Hole Watershed Committee, P.O. Box 931, Butte, MT 59703
Montana Trout Unlimited, P.O. Box 7186, Missoula, MT 59807
Dan Vermillion, FWP Commissioner, Livingston MT
Earnest and Colleen Bacon, 2215 Fishtrap Creek Road, Wisdom, MT 59761
Dept. of Natural Resources and Conservation, 730 N. Montana Street, Dillon, MT 59725-9424
George Grant Chapter of Trout Unlimited, P.O. Box 563, Butte, MT 59703
Skyline Sportsmen, P.O. Box 173, Butte, MT 59703
Anaconda Sportsmen, 2 Cherry, Anaconda, MT 59711
E.T. Bud Moran, Chairman CSKT, PO Box 278, Pablo, MT 59855
Al Lubeck, 2710 Amherst, Ave, Butte, MT 59701
Adam Rissien, ORV Coordinator, Wildands CPR, PO Box 7516, Missoula, MT 59807
Josiah Pinkham, Tribal Arch., Nez Perce Tribe, PO Box 365, Lapwai, ID 83540
John and Sandy Gordon, Juniper Acres Rd, Butte, MT, 59750
Phil Ralston, 54289 MT Highway 43, Wise River, MT 59762
Martin White, 3308 46th Ave. SE, Mandan ND, 58554-4730
Jerry Lussie, 305 Main Street, Anaconda, MT 59711
Jim Schmeller, Montana Living Trust, 4935 Everett Rd, Akron, OH 44333
Kieth and Jean Rankin, P.O. Box 28, Anaconda, MT 59711
Richard Seddon, 2017 Harrison Ave# 237, Butte, MT 59701
Haddox Ventures LLC, 9141 Briar Forest Dr., Huston, TX 77024

Ladies and Gentlemen:

Montana Fish Wildlife & Parks (FWP) is proposing to restore habitat and native aquatic species to the French Creek watershed in the Big Hole River drainage. The habitat restoration component of the project would consist of reclaiming areas in the upper watershed impacted by atmospheric deposition of harmful substances from the Anaconda Smelter.

This restoration work would focus on establishing vegetation on unvegetated slopes of Sugarloaf Mountain and the creation of sediment retaining structures to reduce copper and arsenic laden sediments from reaching California Creek. Habitat would also be restored in placer mined reaches of French Creek, French Gulch Oregon Creek and Moose Creek. The goal of this restoration would be to restore stream function, a floodplain and fish passage in mined reaches of the streams. Pasture fences and water development would be created to improve grazing managment.

Native fish species restoration is being proposed as part of the overall watershed restoration. Native fish restoration would consist of the construction of a fish migration barrier on French Creek near the downstream boundary of the Mount Haggin Wildlife Management Area (WMA). This fish barrier would consist of an earthen dam with a concrete spillway that forms a small waterfall and precludes upstream fish passage. Upstream of the fish barrier there are more than 40 miles of stream that currently contain fish. Once the fish barrier is in place non-native trout (brook trout and rainbow trout) would be removed from the stream using the piscicide rotenone in the formulation of CFT Legumine (5% rotenone). Once non-native fish are removed, native westslope cutthroat trout (WCT) and Arctic grayling would be stocked into the stream.

A total of 2 written comments were received.

It is my decision to proceed with the proposed restoration actions in the French Creek watershed.

Questions regarding these Decision Notices should be mailed to:

Montana Fish, Wildlife & Parks
French Creek Restoration
Attn: Jim Olsen
1820 Meadowlark Ln.
Butte, MT 59701

or e-mailed to: jimolsen@mt.gov

Sincerely,

Sam B. Sheppard
Region Three Supervisor

c: Travis Horton

Environmental Assessment for Watershed Restoration in French Creek, Big Hole River Drainage

ENVIRONMENTAL ASSESSMENT DECISION NOTICE

Montana Fish, Wildlife & Parks
Region Three, Bozeman
June 14, 2016

Proposed Action

Montana Fish, Wildlife & Parks is proposing to restore habitat and native aquatic species to the French Creek watershed in the Big Hole River drainage. The habitat restoration component of the project would consist of reclaiming areas in the upper watershed impacted by atmospheric deposition of harmful substances from the Anaconda Smelter. This restoration work would focus on establishing vegetation on unvegetated slopes of Sugarloaf Mountain and the creation of sediment retaining structures to reduce copper and arsenic laden sediments from reaching California Creek. Habitat would also be restored in placer mined reaches of French Creek, French Gulch, Oregon Creek and Moose Creek. The goal of this restoration would be to restore stream function, a floodplain and fish passage in mined reaches of the streams. Pasture fences would be relocated to reduce livestock impacts to the riparian area and stream channel. Native fish species restoration is being proposed as part of the overall watershed restoration. Native fish restoration would consist of the construction of a fish migration barrier on French Creek near the downstream boundary of the Mount Haggin Wildlife Management Area (WMA). This fish barrier would consist of an earthen dam with a concrete spillway that forms a small waterfall and precludes upstream fish passage. Upstream of the fish barrier there are more than 40 miles of stream that currently contain fish. Once the fish barrier is in place non-native trout (brook trout and rainbow trout) would be removed from the stream using the piscicide rotenone in the formulation of CFT Legumine (5% rotenone). Once non-native fish are removed, native westslope cutthroat trout (WCT) and Arctic grayling would be stocked into the stream.

Montana Fish, Wildlife & Parks is required by the Montana Environmental Policy Act (MEPA) to assess significant potential impacts of a proposed action to the human and physical environment. In compliance with MEPA, an Environmental Assessment (EA) was completed for the proposed project by FWP and released for public comment on April 29th, 2016.

Public comments on the proposed project were taken for 30 days (through May 29th, 2016). The EA notice was mailed to 31 individuals and groups; legal notice was printed in the Montana Standard (Butte) newspaper and the Dillon Tribune. A draft EA was posted on the FWP webpage: http://fwp.mt.gov//publicnotices/. Two written comments were received.

Comment 1. *I am in favor of this project. I am in favor of the reintroduction of WCT and Arctic grayling.*

Response: No response necessary.

Comment 2. *Comment on Environmental Assessment for Watershed Restoration in French Creek, Big Hole River drainage. Reference I made to page 7 of the document as follows:*

F. Narrative Summary of the Proposed Action and Purpose of the Proposed Action.
1. Placer Mining.

"The Mount Haggin Wildlife Management Area (WMA, Figure 1) was acquired by Montana Fish, Wildlife & Parks (FWP) in 1976 from the Mount Haggin Livestock Company through the Nature Conservancy. Prior to state ownership the land was used for multiple purposes. Gold was first discovered 1864 in French Gulch and a sizable mining camp was established in that drainage with year-round occupants. The French Gulch area including First Chance Creek, Moose Creek, and parts of French Creek were mined on and off through the early 1900's. Two hard rock mines were also present at the headwaters of French Gulch at French Town."

The last sentence above is incorrect. The two hard rock mines referred to are the Spain Mine. French Town is located about 2 miles to the northwest near the confluence of First Chance and French Creek. The Spain is located in Township 2 North; Range 11 West; Section 8 while the French Town on the USGS Topo and USGS map is incorrect. Original government surveys of the area to establish the Township boundaries are dated 1868 and 1878. The survey plats show the location of the "Town of French Gulch". Those Original Surveys can be viewed on the General Land Office Website (website given). I am unable to print or copy the survey plats but I have printed and attached pages 204-206 of the 1868 field notes that place French Gulch Town at the "confluence of First Chance and French Gulches" and describes "the town of French Gulch through which the line passes as a village containing about twenty houses strung along the main street...". I have also attached a copy of page 271 of the 1878 field notes for T2N R 12W that states: "French Gulch which is situated on the eastern boundary of Sec 1 is a thriving little mining town...".

Supporting documentation can be found in William R. Allen's book the "Chequemegon" published in 1949. On page 23 he describes a tribe of Indians approaching when he, as a child, was playing on a hillside above the family cabin. Read that and try to visualize the scene where you have place French Town. Can't be done. Now try it near the confluence of First Chance and French Creek. Additionally, if you will view the 19— Mineral Survey plat made when Allen Mining Co. patented the mining claims, including the Spain, the stream you refer to as the headwaters of French Gulch is labeled Fenian Creek". W. R. Allen pg 19, credits the name to an Irishmen who operated there.

From the detail given in the subject document I can't tell if the project will impact the old town of French Gulch, aka French Town. I do think you need to be aware of where the town site actually is.

Response: The survey maps referenced above were obtained and reviewed and the comments above were found to be accurate and the information in the EA incorrect. The town of French Gulch was located at the confluence of First Chance Gulch and French Gulch and not at the headwaters of French Creek. This decision notice will stand as the correction to the error in the EA.

The project will not affect the French Town site. All construction activities in the vicinity of French town or any other building sites or other historical features (with the exception of the gravel piles themselves) will take place in the stream bottom and not in the uplands where these features are located.

Decision

Based on the Environmental Assessment and the public comments received, and benefits and risks associated with this project, it is my decision to go forward with the Proposed Action as outlined in the Draft Environmental Assessment. I find there to be no significant impacts on the human and physical environments associated with this project. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.

Sam B. Sheppard
Region Three Supervisor